

Appln. No. 09/751,737

Amendment dated January 29, 2004

Reply to Office Action mailed March 31, 2003

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims (deleted text being struck through and added text being underlined):

1. (Currently Amended) A bar code indicia system for signaling when an expiration date of a product has passed, said bar code indicia system comprising:

a bar code indicia indicating the expiration date of the product such that said bar code indicia is readable after the expiration date of the product, said bar code indicia being marked on the product; a detecting means for scanning said bar code indicia such that detecting means is for detecting the expiration date of said bar code indicia; and

a signaling means being operationally coupled to said detecting means, said signaling means being for signaling to a potential buyer that the expiration date of the product occurred before a date of detection of said bar code indicia; and

said signaling means comprising a translucent cylindrical housing and a light, said cylindrical housing being mounted on a counter such that said cylindrical housing extends upwardly from said counter, said light being illuminatable upon actuating by said detecting means, said light being removably mounted in said housing opposite said counter such that said light is adapted for being readily seen by the potential buyer positioned anywhere along the length of said counter when said light is illuminated by said detecting means.

2. (Original) The bar code indicia system of claim 1, wherein said bar code indicia comprises a plurality of bars being marked on the product,

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each of said bars being arranged in a manner indicating a particular expiration date of the product.

3. (Original) The bar code indicia system of claim 2, wherein each of said bars is orientated substantially parallel to each other.

4. (Original) The bar code indicia system of claim 2, further comprising:

a substrate having a top surface, each of said bars being marked on said top surface of said substrate.

5. (Original) The bar code indicia system of claim 4, wherein said substrate has a bottom surface with an adhesive thereon for attachment to the product.

6. (Original) The bar code indicia system of claim 1, wherein detecting means comprises:

a scanner being adapted for scanning bar code indicia;

a processor being connected to said scanner; and

wherein said signaling means is coupled to said processor.

7. (Original) The bar code indicia system of claim 6, wherein said processor is adapted to compare the date of detection of the bar code indicia to the expiration date of the product represented by the bar code indicia and to cause said signaling means to signal to the buyer when that the expiration date is before the date of detection.

8. (Original) The bar code indicia system of claim 6, wherein said scanner is mounted in a counter having a scanner window, said scanner being positioned under said scanner window.

9. (Cancelled) ~~The bar code indicia system of claim 6, wherein said signaling means comprises:~~

~~a translucent cylindrical housing being mounted on a counter, a light being removably mounted in said housing.~~

10. (Cancelled) ~~The bar code indicia system of claim 1, wherein said signaling means comprises:~~

~~a translucent cylindrical housing being mounted on a counter and a light being illuminatable upon actuating by said detecting means, said light being removably mounted in said housing.~~

11. (Currently Amended) A bar code indicia system for signaling when an expiration date of a product has passed, said bar code indicia system comprising:

a detecting means for scanning a bar code indicia, said bar code indicia being readable after the expiration date of the product; and

a signaling means being operationally coupled to said detecting means, said signaling means being for signaling to a potential buyer that the expiration date of the product occurred before a date of detection of said bar code indicia; and

said signaling means comprising a translucent cylindrical housing and a light, said cylindrical housing being mounted on a counter such that said cylindrical housing extends upwardly from said counter, said light being illuminatable upon actuating by said detecting means, said light being removably mounted in said housing opposite said counter such that said light is adapted for being readily seen by the potential buyer positioned anywhere along the length of said counter when said light is illuminated by said detecting means.

12. (Original) The bar code indicia system of claim 11, wherein said detecting means comprises:

a scanner being adapted for scanning bar code indicia;

a processor being connected to said scanner; and

wherein said signaling means is connected to said processor.

13. (Previously Presented) The bar code indicia system of claim 12, wherein said processor is adapted to compare a date of detection of the bar code indicia to the expiration date of the product represented by the bar code indicia and to cause said signaling means to signal to the buyer when the expiration date is before the date of detection.

14. (Currently Amended) The bar code indicia system of claim 12, wherein said scanner is mounted in a said counter having a scanner window, said scanner being positioned under said scanner window, ~~said signaling means comprising a cylindrical housing being mounted on said counter, a light being removably connected in said housing.~~

15. (Previously Presented) System for signaling that a product expiration date has passed, said bar code indicia system comprising:

a bar code indicia being readable after the expiration date of the product, said bar code indicia comprising;

a substrate, said substrate having a top surface, wherein said substrate comprises a label having a bottom surface with an adhesive applied thereon for attachment to the product;

a plurality of bars being marked on said top surface of said substrate, each of said bars being arranged on said substrate in a manner indicating a particular expiration date of the product, each of said bars being orientated parallel to each other;

a detecting means for detecting said bar code indicia, said detecting means comprising;

a scanner being adapted for scanning bar code indicia, said scanner being mounted under a counter having an upper surface for holding the products to be scanned; and

a processor being coupled to said scanner, said processor being adapted for comparing the current date to the expiration date of the product and signaling to the consumer that the expiration date on the product has passed;

a signaling means for signaling when the expiration date of the product has passed, said signaling means being coupled to said processor, ~~said signaling means comprising a light being mounted on the upper surface of said counter, wherein the consumer may see said light illuminate when the product passed over the scanner has expired~~ said signaling means comprising a translucent cylindrical housing and a light, said cylindrical housing being mounted on a counter such that said cylindrical housing extends upwardly from said counter, said light being illuminatable upon actuating by said detecting means, said light being removably mounted in said housing opposite said counter such that said light is adapted for being readily seen by the potential buyer positioned anywhere along the length of said counter when said light is illuminated by said detecting means.